

EXECUTIVE ORDER B-37-16

Making water conservation a California way of life

Urban Advisory Group

August 15, 2016



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CA.GOV CALIFORNIA DEPARTMENT OF WATER RESOURCES

HOME NEWSROOM & EVENTS ISSUES ABOUT US

Making Water Conservation a California Way of Life

Governor Brown Issues Order to Continue Water Savings as Drought Persists
 Executive Order B-37-16 - *Making Water Conservation a California way of Life*
 Director Mark Cowin's Remarks for the Release of Executive Order B-37-16

Executive Order

On May 9, 2016 the Governor announced **Executive Order B-37-16**. This EO continues to build on the conservation accomplished during the drought and the implementation of Actions One and Five of the Governor's **California Water Action Plan**.

The new Executive Order calls for water use efficiency improvements that include:

- Developing new urban water use targets that generate more water conservation than existing SBX7-7 requirements

Scroll Down for Schedule and Materials

Water Use Efficiency

» Executive Order

Contact Us

[WUE@water.ca.gov](mailto:wue@water.ca.gov)

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MEETING OBJECTIVES

- Review UAG Charge
- Overview of EO Directives and EO State Agencies' Approach
 - Eliminate Water Waste
 - Strengthen Local Drought Resilience
 - Use Water More Wisely
 - Reporting, Compliance, & Enforcement
- Discuss and Confirm UAG Work Plan

AGENDA OVERVIEW

- Opening Remarks
- Overview of EO Directives
- UAG Charge
- EO Directives:
 - Eliminate Water Waste
 - Strengthen Local Drought Resilience
 - Use Water More Wisely
 - Reporting, Compliance, & Enforcement
- UAG Work Plan & Technical Workgroups
- Next Steps

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EO B-37-16 | OVERVIEW

- ❖ Eliminate Water Waste
- ❖ Strengthen Local Drought Resilience
- ❖ Use Water More Wisely
- ❖ Improve Agricultural Water Use Efficiency and Drought Planning (AAG)
- ❖ Reporting, Compliance, & Enforcement

USE WATER MORE WISELY

- New water use targets, based on standards for
 - Indoor water use
 - Outdoor landscape irrigation
 - Commercial, industrial and institutional (CII) water use
 - Distribution system water losses
- Water use targets to go beyond 20% reduction in per capita urban water use (SB X7-7 of 2009)
- Customized to fit unique conditions of each water supplier
- Generate more statewide water conservation than existing requirements

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ELIMINATE WATER WASTE

- Water Board to permanently prohibit wasteful practices
- DWR and Water Board shall direct actions to minimize water system leaks
- CPUC to order IOUs to accelerate work to minimize leaks
- CEC to certify innovative water conservation and water loss detection and control technologies that also increase energy efficiency

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STRENGTHEN LOCAL DROUGHT RESILIENCE

- Strengthen requirements for Water Shortage Contingency Plans (WSCPs)
 - Respond to droughts lasting at least five years
 - Create common statewide standards so these plans can be quickly utilized in this and future droughts.
- Working with counties to improve drought planning for small water suppliers and rural communities

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IMPROVE AGRICULTURAL WATER USE EFFICIENCY AND DROUGHT PLANNING

- Update existing AWMP requirements
 - Identify and quantify measures to increase water efficiency
 - Adequately plan for water shortages
 - Extend AWMP requirements to all agricultural water suppliers with over 10,000 irrigated acres of land

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REPORTING, COMPLIANCE, AND ENFORCEMENT

To ensure compliance with these new targets and water management plan requirements, DWR, the SWRCB and the CPUC will work together to develop methods to ensure compliance which could include:

- *Technical assistance*
- *Incentives*
- *Financial assistance*
- *Agency oversight*
- *Enforcement action, by Water Board if necessary*

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EO DELIVERABLES & TIMELINES

- Public Report released January 10, 2017
- Report to include:
 - Proposed draft Long-Term Water Use Efficiency Framework
 - Proposed draft water use targets
 - Updated draft requirements for Water Shortage Contingency Plans
 - Updated draft requirements for Agricultural Water Management Plans
 - Proposed reporting, compliance and enforcement mechanisms
- Status update on other EO directives

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EXECUTIVE ORDER STAKEHOLDER PROCESS

- Stakeholders include urban and agricultural water suppliers, local governments, agricultural producers, environmental groups, and others
- New EO stakeholder groups
 - Urban Advisory Group
 - Agricultural Advisory Group

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EXECUTIVE ORDER B-37-16 URBAN ADVISORY GROUP

- Send additional thoughts and comments to wue@water.ca.gov
- Check EO website for updated information at www.water.ca.gov/wateruseefficiency/consevation/

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EO OVERVIEW: CLARIFYING QUESTIONS

- UAG
- Public

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UAG CHARGE

UAG CHARGE

- UAG Purpose and Scope
- UAG Membership
- Roles and Responsibilities:
 - Agency Team
 - Project Leads Team
 - Project Teams
 - Advisory Groups
 - Technical Workgroups
- UAG Input
- EO B-37-16 Public Process

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ELIMINATE WATER WASTE

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ELIMINATE WATER WASTE: EO DIRECTIVES

- **EO 4:** Water Board shall permanently prohibit practices that waste water.
- **EO 5:** Water Board and DWR shall take actions to minimize system leaks that waste large amounts of water. Drinking Water State Revolving Fund will be utilized.
- **EO 6:** Water Board and DWR shall direct urban and agricultural water suppliers to accelerate data collection, improve water system management, and prioritize capital projects to reduce water waste. CPUC shall order investor-owned water utilities to accelerate work to minimize leaks.
- **EO 7:** CEC shall certify innovative water conservation and water loss detection and control technologies that also increase energy efficiency.

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ELIMINATE WATER WASTE: LISTENING SESSIONS FEEDBACK

- Local agencies have efforts underway to reduce leaks, and the current initiative can support and enhance those efforts.
- Funding and technical assistance for leak detection and repair should be made available.
- There needs to be a prioritization of water loss needs.
- Water loss data collection and reporting metrics need to be considered.

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ELIMINATE WATER WASTE: **PROPOSED APPROACH**

- Codify Water Use Prohibitions in CA Code of Regulations (EO 4 - Water Board)
- Identify programs, funding, and activities already in place to reduce water waste (EO 5 - all agencies)
- Review water loss audits from urban water management plans to identify and prioritize funding for urban retail water suppliers with higher water losses (EO 5 - DWR and Water Board)
- Identify important metrics and reporting requirements

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ELIMINATE WATER WASTE: **PROPOSED APPROACH (CONTD.)**

- Direct urban and agricultural water suppliers to accelerate data collection to minimize leaks (EO 6 - DWR & Water Boards)
- Order investor-owned utilities to accelerate work to minimize leaks (EO 6 - CPUC)
- Proceed towards certifying innovative water conservation and water loss detection and control technologies that also increase energy efficiency (EO 7 - CEC)

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ELIMINATE WATER WASTE: DISCUSSION QUESTIONS

- What actions should the State and/or urban water suppliers take to accelerate leak detection and repair?
- How can the State Agencies contribute or support local efforts to identify leaks and reduce related potable water loss through leaks?
- What key data should urban water suppliers be responsible to develop, and what data should the State provide?

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ELIMINATE WATER WASTE: UAG

- Proposed Charge:
 - Suggest ways of accelerating water waste reduction
 - Discuss how local agency water loss needs can be prioritized
 - Assist in identifying key water loss metrics and reporting requirements

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ELIMINATE WATER WASTE: OPEN DISCUSSION

- UAG
- Public Comment

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STRENGTHEN LOCAL DROUGHT RESILIENCE

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WATER SHORTAGE CONTINGENCY PLANS BACKGROUND

- **Water Use Planning During “Normal” & Drought Years**
 - **Urban Water Management Plans, to be updated 2015**
 - **Water Shortage Contingency Plans**
- California Water Code (CWC), as part of the Urban Water Management Planning Act (UMWPA), states:
 - *CWC Section 10632. (a) The plan shall provide an urban water shortage contingency analysis that includes each of the following elements that are within the authority of the urban water supplier.*
 - an “urban water supplier,” defined as a “supplier, either publicly or privately owned, providing water for municipal purposes either directly or indirectly to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually” (CWC §10617)

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WATER SHORTAGE CONTINGENCY PLANS BACKGROUND (CONTD.)

- What contingency are WSCP?
- How do they relate to Urban Water Management Plans
- Include local water conditions
- Identify water shortage stages and implementation

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STRENGTHEN LOCAL DROUGHT RESILIENCE: EO DIRECTIVES

- **EO 8:** To strengthen requirements for WSCPs, assuring water purveyors plan for droughts lasting at least five years, as well as more frequent and severe periods of drought (DWR)
- **EO 10:** To work with counties to facilitate improved drought planning for small water suppliers and rural communities (DWR)

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STRENGTHEN LOCAL DROUGHT RESILIENCE: LISTENING SESSIONS FEEDBACK

- Provide flexibility in local contingency planning
- All local WSCPs could include a portfolio of measures from which suppliers can implement, depending upon the supplier's situation.
- Drought resilience should incorporate both supply diversification and demand management approaches.
- Local drought management necessitates a comprehensive approach that requires balancing various customer group demands, finances, supply management, and risk.

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STRENGTHEN LOCAL DROUGHT RESILIENCE: **PROPOSED APPROACH**

- Develop recommendations for meeting the EO 8 directive based upon analysis, interviews, stakeholder input, and professional experience
 - Draft requirements for updating WSCPs in January 10th report
 - Include recommendations towards common standards and prepare for a drought of at least five years
 - Improve connection between long term planning and near-term shortage risk assessment
 - Improve shortage response mechanisms and accountability
 - Perform an analysis of a sample of 2010 and 2015 WSCPs and interview the purveyors to understand effectiveness of current approaches
- Establish county advisory work group to inform development of county-based water shortage planning (EO 10)

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STRENGTHEN LOCAL DROUGHT RESILIENCE: DISCUSSION QUESTIONS

- After five years of drought conditions, how can water shortage contingency plans requirements be improved and strengthened to make the plans a more effective tool for urban water suppliers to respond to future droughts?
- Which elements of a water shortage contingency plan requirements are conducive for developing uniform statewide standards, and which requirements should be more flexible to account for local conditions?
- How can small supplier and rural community drought planning be improved and strengthened?

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STRENGTHEN LOCAL DROUGHT RESILIENCE: TECHNICAL WORKGROUPS

- Proposed Charge:
 - Members will consult and advise EO State Agencies project team on draft recommendations for updating the UWMP WSCPs.
- A second technical group will be formed to advise and consult the development of County WSCPs.

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STRENGTHEN LOCAL DROUGHT RESILIENCE: OPEN DISCUSSION

- UAG
- Public Comment

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USE WATER MORE WISELY

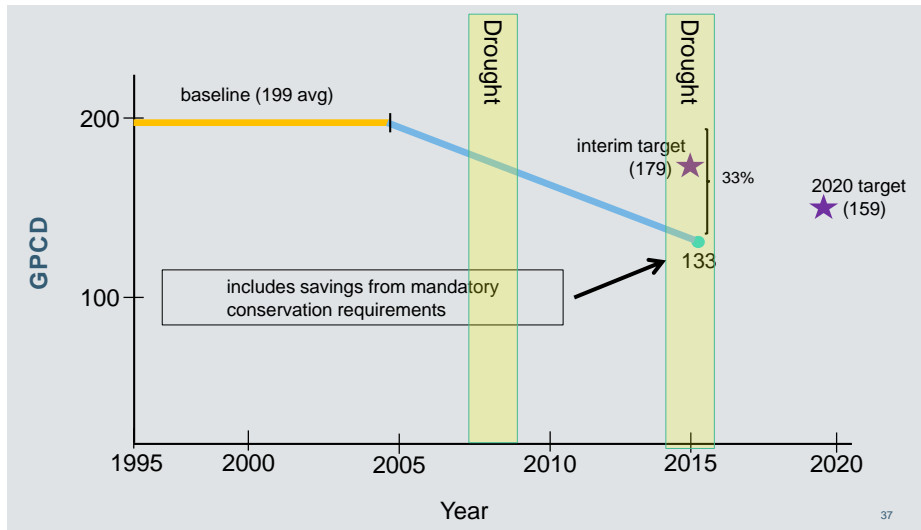
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WATER USE TARGETS BACKGROUND

- 2009 – SB X7-7 enacted-
 - First water use target requirement
 - Set statewide goal to reduce per capita water use by 20% by 2020
 - Water suppliers selected one of 4 methods to set individual target
 - Suppliers document compliance in 2015 and 2020

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STATEWIDE AVERAGE PER CAPITA URBAN WATER USE



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EO B-37-2016 USE WATER WISELY ACTIONS

Governor Brown released Executive Order B-37-16 to continue conservation momentum from current drought.

3 actions under Use Water Wisely:

- 1) Adjust emergency conservation regulation
- 2) Develop new water use targets based on strengthened standards for:
 - Indoor residential
 - Outdoor landscape
 - CII water use
 - Water lost through leaks
- 3) Require urban water supplier monthly reporting on a permanent basis

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USE WATER MORE WISELY: LISTENING SESSIONS FEEDBACK

- Recognize that many communities have invested heavily in WUE improvements
- New water use targets should take variable geography, populations, and infrastructure into account
- CII use is variable by community; standards should consider that variability
- There are benefits to regional alliances; consider how water use targets and standards can facilitate alliances
- Reporting should be efficient and streamlined

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LISTENING SESSION FEEDBACK

- State can help develop outdoor water use standard through data, technical assistance
 - State should consider how remote sensing data take local and regional differences into account (tree canopy, etc.)
- Set achievable water use targets - understand what measures suppliers will have to take to reach the water use target

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USING STANDARDS TO SET TARGETS

EO Targets build upon a composite of four components:

For Example:

Indoor Residential: 55 gpcd
Outdoor Landscape: 0.8 of Eto
CII: 10% Reduction from baseline CII water use
Water Loss:

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TARGET

Indoor Residential	xx gallons	xx GPCD
Outdoor Landscape	xx	xx
CII	xx	xx
<u>Water Loss</u>	<u>xx</u>	<u>xx</u>
Target	xx	xx

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USE WATER MORE WISELY: PROPOSED APPROACH

- Develop a framework for water use target requirements for long-term water use efficiency by January 10, 2017 (EO 2).
- Deliverables:
 - Plan to get urban landscape area measurement for entire state in place
 - Strengthened standards for indoor residential, outdoor irrigation, CII water use, and distribution system water loss; standards will be used to calculate water use targets unique to each supplier

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USE WATER MORE WISELY: PROPOSED APPROACH

- Evaluate existing standards
- Key Questions EO Agencies will ask in evaluation:
 1. Where is State now?
 2. What should be the long-term goal and when should it be achieved?
 3. Should CII have a volume target, BMP performance measures, a combined approach or utilize industry standards?

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USE WATER MORE WISELY: DRAFT TARGET FRAMEWORK **PROPOSED APPROACH**

Data Analysis to Answer key Questions:

- Indoor residential - study estimating current indoor GPCD and potential future reductions from plumbing codes and standards
- Outdoor Landscape - develop representative dataset of agencies with landscape area measurement and by measuring landscape area for other selected agencies
- Evaluate different CII approaches and standards

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DRAFT TARGET FRAMEWORK **PROPOSED APPROACH**

- Representative set of agencies will be used to evaluate how changing water use standards would affect production volumes
- Bracket range of water use standards and water use targets using representative statewide dataset, adjust standards to achieve long term conservation goals, as needed
- Evaluate how new water use targets exceed existing requirements (SB X7-7)

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USE WATER MORE WISELY: TECHNICAL WORKGROUP

- Proposed Charge: provide technical input on data use and evaluation in developing the new water use standards and water use targets
- Membership open to water agency staff, NGOs, and other interested parties

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USE WATER MORE WISELY: OPEN DISCUSSION

- UAG
- Public Comment

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REPORTING, COMPLIANCE, & ENFORCEMENT

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REPORTING, COMPLIANCE, & ENFORCEMENT: EO DIRECTIVES

- **EO3:** The Department and Water Board shall permanently require urban water suppliers to issue a monthly report on their water usage, amount of conservation achieved, and any enforcement efforts.
- **EO:** The Department, Water Board, and CPUC shall develop methods to ensure compliance with the provisions of this Executive Order, including technical and financial assistance, agency oversight, and, if necessary, enforcement action by the Water Board to address non-compliant water suppliers.

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REPORTING, COMPLIANCE, & ENFORCEMENT: LISTENING SESSIONS FEEDBACK

- Enforcement should be reasonable
- Reporting should be coordinated and streamlined
- Technical and financial assistance are important

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REPORTING, COMPLIANCE, & ENFORCEMENT: **PROPOSED APPROACH**

- **Focus Areas:**
 - Water Shortage Contingency Plans
 - Ag Water Management Plans
 - Urban Water Use Targets
- Different reporting requirements and enforcement for plans and efficiency-based water use targets
 - Framework in January 10th report to include:
 - What type of data is collected, and where
 - Who manages data collection system
 - Frequency
 - Primary agency responsible for review
 - Process for addressing non-compliance

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REPORTING, COMPLIANCE, & ENFORCEMENT: DISCUSSION QUESTIONS

- Should there be a different RCE approach to water management plans, water shortage contingency plans, and efficiency target reporting?
- What role can technical assistance and financial support play in supporting compliance?

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REPORTING, COMPLIANCE, & ENFORCEMENT: OPEN DISCUSSION

- UAG
- Public Comment

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UAG

- ❖ Work Plan
- ❖ Technical Workgroups

- UAG Work Plan
 - Schedule
 - Technical Workshops

DISCUSSION

❖ UAG

❖ Public Comment

NEXT STEPS

THANK YOU!

- If you have questions, please contact:
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